

REMARKS

The claims are 28-34, with claim 28 being the sole independent claim. Claims 1-27 have been cancelled without prejudice or disclaimer. Support for claims 28-34 may be found in claims 1-27.

During a telephone conference with the Examiner on September 9, 2009, Applicants' undersigned attorney discussed changing the election of disease from previously elected claims 3 and 4 to a specific disease in claim 1. The Examiner approved this change in disease election. Claim 28 has been written to recite the treatment of the specific disease amyotrophic lateral sclerosis.

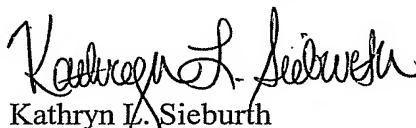
Applicants elect the LXR compound species of Example 3 ((R)-2-(3-{3-[[2-Chloro-3-(trifluoromethyl)benzyl](2,2-diphenylethyl)amino]-1-methyl-propoxy}-phenyl)acetic acid methyl ester) which is encompassed within the generic of new claim 31 (previously pending claim 11).

Accordingly, the present elections correspond to Group III as set out in the Office Action of September 3, 2009.

Applicants retain the right to file divisional applications directed to the non-elected subject matter should the restriction requirement become final.

Authorization is hereby granted to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 19-2570.

Respectfully submitted,


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